REMARKS

Claims 1, 2, 4, 9-12, 23-25, and 36-62 are pending in the present application. By this Response, claims 1, 2, 4, 9-12, 23-25, 36, and 37 are amended, claims 3, 5-8, 13-22, and 26-35 are canceled, and claims 38-62 are added. Claims 1, 12, and 25 are amended to recite determining a level of data privacy associated with a user of the user resource; responsive to the level of data privacy indicating a first level of dedicated computing resources, integrating the user resource into a first logical design that includes a shared regional infrastructure management (RIM) device, where the shared RIM device may be shared between multiple user resources; and responsive to the level of data privacy indicating a second level of dedicated computing resources, integrating the user resource into a second logical design that includes a dedicated RIM device, where the dedicated RIM device is dedicated for use only by the user resource. Support for this amendment may be found at least on page 26, lines 7-13. Claim 2, 4, 9-11, 23, 24, 36, and 36 are amended for proper antecedent basis and for clarification purposes in view of the amendments to claims 1, 12, and 25. Additional support for these amendments and the new claims may be found in the specification at least on page 9, lines 8-12, page 19, lines 4-19, and page 26, line 1, to page 27, line 15. Reconsideration of the claims in view of the above amendments and the following remarks is respectfully requested.

I.   **Telephone Interview**

Applicants' representative contacted the Examiner to conduct a telephone interview prior to the response due date of the Office Action. However, due to the Examiner's schedule, a telephone interview was not able to be scheduled prior to the response due date. Therefore, Applicants respectfully request that the Examiner contact Applicants' representative to discuss this application prior to taking any further action on this case.

II.   Request for Initialed PTO Form 1449

An Information Disclosure Statement and PTO Form 1449 were filed with the present application on February 19, 2004. Included with the current Office Action, the Examiner provided a signed and dated copy of PTO Form 1449 with additional comments indicating that information was missing on the form. Applicants respectfully submit that the Application Number and Group Number missing on the PTO Form 1449 were not available to application on the filing date of February 19, 2004. Further, with regard to the PTO Form 1449 missing class and subclass information for the listed Patents, Publications, and Applications, Applicants respectfully submit that the filed PTO Form 1449 complies with 37 C.F.R. § 1.98(b)(1, 2, &3) in that (1) each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date, (2) each U.S. patent application publication listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date, and (3) each U.S. application listed in an information disclosure statement must be identified by the inventor, application number, and filing date. Therefore, Applicants respectfully request that the Examiner forward a copy of the initialed PTO Form 1449 along with the next communication from the U.S. Patent and Trademark Office. For the convenience of the Examiner, a copy of the originally filed PTO Form 1449 is attached hereto.

III.   Objection to Claims 1, 2, 4, 9-12, 23-25, 36, and 37

The Office Action objects to claims 1-37 for containing acronyms without the respective expanded forms. By this Response, claims 3, 5-8, 13-22, and 26-35 are canceled and claims 1, 2, 4, 9-12, 23-25, 36, and 37 are amended to include the expanded forms of any acronym where appropriate. Therefore, Applicants respectfully submit that claims 1, 2, 4, 9-12, 23-25, 36, and 37 are in proper form and request the objection of claims 1, 2, 4, 9-12, 23-25, 36, and 37 be withdrawn.

IV.   35 U.S.C. § 112, Second Paragraph, Claim 7

The Office Action rejects claim 7 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. This rejection is moot in view of the cancellation of claim 7.

V.   35 U.S.C. § 101, Claims 25-37

The Office Action rejects claims 25-37 under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Specifically, the Office Action states that the computer-usable medium, which as defined in the specification does not fall into any of the statutory categories. By this Response, claim 25 is amended to recite "A computer program product comprising a computer-usable medium, having computer-executable instructions for integrating a user resource into a managed computing resource system stored therein,…" Support for this amendment may be found in the specification at least on page 28, line 15-27. Accordingly, Applicants respectfully request withdrawal of the rejection of claim 25-37 under 35 U.S.C. § 101.

VI.   35 U.S.C. § 102, Alleged Anticipation of Claims 1-37

The Office Action rejects claims 1-37 under 35 U.S.C. § 102(e) as being allegedly anticipated by Goodman et al. (U.S. Publication No. 2006/0059253 A1). This rejection is moot with regard to canceled claims 3, 5-8, 13-22, and 26-35 and is respectfully traversed with regard to the remaining claims.

Claim 1, which is representative of claims 12 and 25 with regard to similarly recited subject matter, reads as follows:

> 1.   A method for integrating a user resource into a managed computing resource system, the method comprising:
>   **determining a level of data privacy associated with a user of the user resource;**
>   **responsive to the level of data privacy indicating a first level of dedicated computing resources, integrating the user resource into a**

first logical design that includes a shared regional infrastructure management (RIM) device, wherein the shared RIM device may be shared between multiple user resources; and

    responsive to the level of data privacy indicating a second level of dedicated computing resources, integrating the user resource into a second logical design that includes a dedicated RIM device, wherein the dedicated RIM device is dedicated for use only by the user resource. (emphasis added)

    A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). All limitations of the claimed invention must be considered when determining patentability. *In re Lowry*, 32 F.3d 1579, 1582, 32 U.S.P.Q.2d 1031, 1034 (Fed. Cir. 1994). Anticipation focuses on whether a claim reads on the product or process a prior art reference discloses, not on what the reference broadly teaches. *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 U.S.P.Q. 781 (Fed. Cir. 1983). Applicants respectfully submit that Goodman does not identically show every element of claim 1 arranged as they are in the claim. Specifically, Goodman does not teach the elements emphasized above in claim 1 or similar features in the other rejected independent claims.

    Goodman is directed to an execution architecture, a development architecture, and an operations architecture for a netcentric computing system. The execution architecture contains common, run-time services required when an application executes in the netcentric computing system. The development architecture is the production environment for one or several systems development projects as well as for maintenance efforts. The purpose of the development environment is to support the tasks involved in the analysis, design, construction, and maintenance of business systems, as well as the associated management processes. The operations architecture is a combination of tools and support services required to keep a production system up and running efficiently.

    Applicants respectfully submit that Goodman does not teach determining a level of data privacy associated with a user of the user resource. In Goodman, a system is provided that expands the reach of computing both within and outside the enterprise in order to enable the sharing of data and content between individuals and applications (see Goodman, paragraph [0010]). In order to enable the sharing of data and content between

individuals and applications, Applicants respectfully submit that Goodman provides the same level of data privacy to each individual and application. That is, Goodman wants to connect every individual to the system and, thus, treats each resource the same. Therefore, by treating each individual the same, Goodman provides the same level of data privacy to each individual and Goodman would have no need to determine a level of data privacy associated with a user of the user resource.

Additionally, Applicants respectfully submit that Goodman does not teach a shared regional infrastructure management (RIM) device or a dedicated RIM device. The Office Action alleges that Goodman teaches a RIM on page 5. In this rather lengthy portion of Goodman, there is no mention whatsoever of a **regional** infrastructure management (RIM) device or a functional equivalent of a RIM device. While Goodman may mention an infrastructure layer for an architecture layer of a netcentric computing system, the infrastructure layer deals with those components of an architecture that are used by multiple applications and that are developed and maintained within the business enterprise (see Goodman, paragraph [0081]). Goodman teaches that the netcentric computing system is central and accessible to all individuals and applications. Nowhere on page 5, or in any other section of Goodman, is there a teaching that the infrastructure layer is **regionally placed**, nor is there a teaching that the infrastructure layer is either **shared or dedicated**. Therefore, Goodman does not teach providing a **regional** infrastructure management (RIM) device that is shared or dedicated.

Further, Applicants respectfully submit that Goodman does not teach integrating the user resource into a first logical design that includes a **shared** regional infrastructure management (RIM) device or integrating a user resource into a second logical design that includes a **dedicated** RIM device **in response to the determination of the level of data privacy associated with a user of the user resource**. Again, since Goodman is directed to enabling the sharing of data and content between individuals and applications, Goodman would not be concerned with determining a level of data privacy associated with a user of the user resource nor would Goodman be concerned with integrating a user resource into a first logical design that includes a **shared** regional infrastructure management (RIM) device or integrating a user resource into a second logical design that

includes a **dedicated** RIM device **in response to the determination of the level of data privacy associated with a user of the user resource**.

Therefore, Goodman does not teach each and every feature of independent claims 1, 12, and 25 as is required under 35 U.S.C. § 102(e). At least by virtue of their dependency on independent claims 1, 12, and 25, the specific features of dependent claims 2, 4, 9-11, 23, 24, 36, and 37 are not taught by Goodman. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 1, 2, 4, 9-12, 23-25, 36, and 37 under 35 U.S.C. § 102(e).

Furthermore, Goodman does not teach, suggest, or give any incentive to make the needed changes to reach the presently claimed invention. Absent the Office Action pointing out some teaching or incentive to implement Goodman such that a user resource is integrated into a first logical design that includes a **shared** regional infrastructure management (RIM) device **in response to the level of data privacy indicating a first level of dedicated computing resources**, and a user resource is integrated into a second logical design that includes a **dedicated** RIM device **in response to the level of data privacy indicating a second level of dedicated computing resources**, one of ordinary skill in the art would not be led to modify Goodman to reach the present invention when the reference is examined as a whole. Absent some teaching, suggestion, or incentive to modify Goodman in this manner, the presently claimed invention can be reached only through an improper use of hindsight using the Applicants' disclosure as a template to make the necessary changes to reach the claimed invention.

Moreover, in addition to their dependency from independent claims 1, 12, and 25, the specific features recited in dependent claims 2, 4, 9-11, 23, 24, 36, and 37 are not taught by Goodman. For example, with regard to claim 2, Goodman does not teach a shared RIM device or a dedicated RIM device that is coupled to a spoke device. The Office Action alleges that this feature is taught by Goodman on page 5. As discussed above, in this rather lengthy portion of Goodman, there is no mention whatsoever of a regional infrastructure management device nor is there a mention of a spoke device or the functional equivalent of a spoke device. While Goodman may mention an infrastructure layer for an architecture layer of a netcentric computing system, the infrastructure layer deals with those components of an architecture that are used by multiple applications and

that are developed and maintained within the business enterprise (see Goodman, paragraph [0081]). Therefore, Goodman does not teach a shared RIM device or a dedicated RIM device that is coupled to a spoke device.

With regard to claims 9, 23, and 36, Goodman does not teach distributing software via a hub master software package library in a shared hub to at least one of a RIM software repository in the shared RIM device, a RIM software repository in the dedicated RIM device, or a point of deployment (POD) software cache in a POD device, where the software is distributed to the RIM software repository in the shared RIM device or the dedicated RIM device via the hub master software package library and where the software is distributed to the POD software cache in the POD device via the RIM software repository. As discussed above, Goodman fails to teach a regional infrastructure management device of a spoke device. Additionally, Goodman fails to teach a hub master software package library in a shared hub, a RIM software repository in the shared RIM device, a RIM software repository in the dedicated RIM device, or a point of deployment (POD) software cache in a POD device. Furthermore, Goodman fails to teach distributing software to the RIM software repository in the shared RIM device or the dedicated RIM device via the hub master software package library and distributing the software to the POD software cache in the POD device via the RIM software repository.

Thus, in addition to being dependent on independent claims 1, 12, and 25, the specific features of dependent claims 2, 4, 9-11, 23, 24, 36, and 37 are also distinguishable over Goodman by virtue of the specific features recited in these claims. Accordingly, Applicants respectfully request withdrawal of the rejection of dependent claims 2, 4, 9-11, 23, 24, 36, and 37 under 35 U.S.C. § 102(e).

VII.   **35 U.S.C. § 102, Alleged Anticipation of Claims 1-37**

The Office Action rejects claims 1-37 under 35 U.S.C. § 102(e) as being allegedly anticipated by Childress et al. (U.S. Publication No. 2004/0205240 A1). This rejection is moot with regard to canceled claims 3, 5-8, 13-22, and 26-35 and is respectfully traversed with regard to the remaining claims.

Applicants respectfully submit that Childress has the same deficiencies that the Goodman reference has. That is, the Childress reference does not identically show every element of claim 1 arranged as they are in the claim. Specifically, Childress does not teach the elements emphasized above in claim 1 or similar features in the other rejected independent claims.

Childress is directed to providing a four-tier Common Object Request Broker Architecture (CORBA). Childress provides a three-tier CORBA network that includes a first CORBA Object Request Broker (ORB) coupled to a second CORBA ORB, and the second CORBA ORB coupled to a third CORBA ORB. The first CORBA ORB occupies a first level of a network hierarchy. The second CORBA ORB occupies a second level of the network hierarchy. And, the third CORBA ORB occupies a third level of the network hierarchy. A global CORBA ORB is coupled to the three-tier CORBA network, where the global CORBA ORB occupies a top level of the network hierarchy.

Applicants respectfully submit that Childress does not teach determining a level of data privacy associated with a user of the user resource. In Childress, a four-tiered CORBA architecture is provided that distributes software to clients (see Childress, paragraph [0014]). In order to provide the software to the clients, Childress uses a broker that acts as an agent for the request, and, as in the case of Goodman, Applicants respectfully submit that Childress provides the same level of data privacy to each client. That is, Childress wants every client to access the broker so that the client may download the software and, thus, treats each client the same. Therefore, by treating each client the same, Childress provides the same level of data privacy to each client and Childress would have no need to determine a level of data privacy associated with a user of the user resource.

Additionally, Applicants respectfully submit that Childress does not teach a shared regional infrastructure management (RIM) device or a dedicated RIM device. The Office Action alleges that Childress teaches a RIM on page 3. In this rather lengthy portion of Childress, there is no mention whatsoever of a **regional** infrastructure management device or a functional equivalent of a regional infrastructure management device. On page 3, Childress teaches an object request broker which is the programming that acts as a "broker" between a client request for a service from a distributed object or

component and the completion of that request. Using ORB support in a network means that a client program can request a service without having to understand where the server is in a distributed network or exactly what the interface to the server program looks like. Nowhere on page 3, or in any other section of Childress, is there a teaching that the broker or ORB is **regionally placed**, nor is there a teaching that the broker or ORB is **either shared or dedicated**.

Further, Applicants respectfully submit that Childress does not teach integrating the user resource into a first logical design that includes a **shared** regional infrastructure management (RIM) device or integrating a user resource into a second logical design that includes a **dedicated RIM device in response to the determination of the level of data privacy associated with a user of the user resource**. Again, Childress is directed to using a four-tiered CORBA architecture to provide software to clients and Childress would not be concerned with determining a level of data privacy associated with a user of the user resource nor would Childress be concerned with integrating a user resource into a first logical design that includes a **shared** regional infrastructure management (RIM) device or integrating a user resource into a second logical design that includes a **dedicated** RIM device **in response to the determination of the level of data privacy associated with a user of the user resource.**

Therefore, Childress does not teach each and every feature of independent claims 1, 12, and 25 as is required under 35 U.S.C. § 102(e). At least by virtue of their dependency on independent claims 1, 12, and 25, the specific features of dependent claims 2, 4, 9-11, 23, 24, 36, and 37 are not taught by Childress. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 1, 2, 4, 9-12, 23-25, 36, and 37 under 35 U.S.C. § 102(e).

Furthermore, Childress does not teach, suggest, or give any incentive to make the needed changes to reach the presently claimed invention. Absent the Office Action pointing out some teaching or incentive to implement Childress such that a user resource is integrated into a first logical design that includes a **shared** regional infrastructure management (RIM) device **in response to the level of data privacy indicating a first level of dedicated computing resources**, and a user resource is integrated into a second logical design that includes a **dedicated** RIM device **in response to the level of data**

privacy indicating a second level of dedicated computing resources, one of ordinary skill in the art would not be led to modify Childress to reach the present invention when the reference is examined as a whole. Absent some teaching, suggestion, or incentive to modify Childress in this manner, the presently claimed invention can be reached only through an improper use of hindsight using the Applicants' disclosure as a template to make the necessary changes to reach the claimed invention.

Moreover, in addition to their dependency from independent claims 1, 12, and 25, the specific features recited in dependent claims 2, 4, 9-11, 23, 24, 36, and 37 are not taught by Childress. For example, with regard to claim 2, Childress does not teach a shared RIM device or a dedicated RIM device that is coupled to a spoke device. The Office Action alleges that this feature is taught by Childress on page 3. As discussed above, in this rather lengthy portion of Childress, there is no mention whatsoever of a regional infrastructure management device nor is there a mention of a spoke device or the functional equivalent of a spoke device. That is, Childress teaches an ORB that is programming that acts as a "broker" between a client request for a service from a distributed object or component and the completion of that request. Therefore, Childress does not teach a shared RIM device or a dedicated RIM device that is coupled to a spoke device.

With regard to claims 9, 23, and 36, while Childress may teach distributing software, Childress does not teach distributing software via a hub master software package library in a shared hub to at least one of a RIM software repository in the shared RIM device, a RIM software repository in the dedicated RIM device, or a point of deployment (POD) software cache in a POD device, where the software is distributed to the RIM software repository in the shared RIM device or the dedicated RIM device via the hub master software package library and where the software is distributed to the POD software cache in the POD device via the RIM software repository. Additionally, Childress fails to teach a hub master software package library in a shared hub, a RIM software repository in the shared RIM device, a RIM software repository in the dedicated RIM device, or a point of deployment (POD) software cache in a POD device. Furthermore, Childress fails to teach distributing software to the RIM software repository in the shared RIM device or the dedicated RIM device via the hub master software

package library and distributing the software to the POD software cache in the POD device via the RIM software repository.

Thus, in addition to being dependent on independent claims 1, 12, and 25, the specific features of dependent claims 2, 4, 9-11, 23, 24, 36, and 37 are also distinguishable over Childress by virtue of the specific features recited in these claims. Accordingly, Applicants respectfully request withdrawal of the rejection of dependent claims 2, 4, 9-11, 23, 24, 36, and 37 under 35 U.S.C. § 102(e).

VIII.   35 U.S.C. § 102, Alleged Anticipation of Claims 1-37

The Office Action rejects claims 1-37 under 35 U.S.C. § 102(e) as being allegedly anticipated by Mikurak (U.S. Publication No. 2004/0064351 A1). This rejection is moot with regard to canceled claims 3, 5-8, 13-22, and 26-35 and is respectfully traversed with regard to the remaining claims.

Applicants respectfully submit that Mikurak has the same deficiencies that the Goodman and Childress references have. That is, the Mikurak reference does not identically show every element of claim 1 arranged as they are in the claim. Specifically, Mikurak does not teach the elements emphasized above in claim 1 or similar features in the other rejected independent claims.

Mikurak is directed to providing a first business entity a network-based supply chain framework for collaborative order management between at least a second and a third independent business entity, such as a service provider, vendor, reseller, manufacturer and the like. A request for an order is received over a network with an automated system, from at least a second business entity. The order is transmitted over a network, with an automated system, to at least the third business entity. Information is received from the third business entity relating to a status of completion of the order by the third business entity using a network. The progress in completing the order is tracked based on the information received from the third business entity. Progress reports from the tracking are generated periodically and transmitted to the second business entity using the network.

Applicants respectfully submit that Mikurak does not teach determining a level of data privacy associated with a user of the user resource. In Mikurak, a system is provided that enables collaborative order management system (see Goodman, paragraph [0010]). In order to enable a collaborative order management system, Applicants respectfully submit that Mikurak provides the same level of data privacy to each user. That is, Mikurak wants to connect every user to the system and, thus, treats each user the same. Therefore, by treating each user the same, Mikurak provides the same level of data privacy to each user and Mikurak would have no need to determine a level of data privacy associated with a user of the user resource.

Additionally, Applicants respectfully submit that Mikurak does not teach a shared regional infrastructure management (RIM) device or a dedicated RIM device. The Office Action alleges that Mikurak teaches a RIM on page 14. In this rather lengthy portion of Mikurak, there is no mention whatsoever of a **regional** infrastructure management device or a functional equivalent of a regional infrastructure management device. Mikurak describes an order management system for automatically placing an order with one of a plurality of suppliers when order information is input by one of a plurality of orderers (see Mikurak, paragraph [0258]). Nowhere on page 14, or in any other section of Mikurak, is there a teaching that the order management system is **regionally placed**, nor is there a teaching that the broker or ORB is **either shared or dedicated**.

Further, Applicants respectfully submit that Mikurak does not teach integrating the user resource into a first logical design that includes a shared regional infrastructure management (RIM) device or integrating a user resource into a second logical design that includes a dedicated RIM device **in response to the determination of the level of data privacy associated with a user of the user resource**. Again, Mikurak is directed to providing a collaborative order management system and Mikurak would not be concerned with determining a level of data privacy associated with a user of the user resource nor would Mikurak be concerned with integrating a user resource into a first logical design that includes a **shared** regional infrastructure management (RIM) device or integrating a user resource into a second logical design that includes a **dedicated** RIM device **in response to the determination of the level of data privacy associated with a user of the user resource**.

Therefore, Mikurak does not teach each and every feature of independent claims 1, 12, and 25 as is required under 35 U.S.C. § 102(e). At least by virtue of their dependency on independent claims 1, 12, and 25, the specific features of dependent claims 2, 4, 9-11, 23, 24, 36, and 37 are not taught by Mikurak. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 1, 2, 4, 9-12, 23-25, 36, and 37 under 35 U.S.C. § 102(e).

Furthermore, Mikurak does not teach, suggest, or give any incentive to make the needed changes to reach the presently claimed invention. Absent the Office Action pointing out some teaching or incentive to implement Mikurak such that a user resource is integrated into a first logical design that includes a shared regional infrastructure management (RIM) device in response to the level of data privacy indicating a first level of dedicated computing resources, and a user resource is integrated into a second logical design that includes a dedicated RIM device in response to the level of data privacy indicating a second level of dedicated computing resources, one of ordinary skill in the art would not be led to modify Mikurak to reach the present invention when the reference is examined as a whole. Absent some teaching, suggestion, or incentive to modify Mikurak in this manner, the presently claimed invention can be reached only through an improper use of hindsight using the Applicants' disclosure as a template to make the necessary changes to reach the claimed invention.

Moreover, in addition to their dependency from independent claims 1, 12, and 25, the specific features recited in dependent claims 2, 4, 9-11, 23, 24, 36, and 37 are not taught by Mikurak. For example, with regard to claim 2, Mikurak does not teach a shared RIM device or a dedicated RIM device that is coupled to a spoke device. The Office Action alleges that this feature is taught by Mikurak on page 15. As discussed above, in this rather lengthy portion of Mikurak, there is no mention whatsoever of a regional infrastructure management device nor is there a mention of a spoke device or the functional equivalent of a spoke device. The majority of page 15 of the Mikurak reference is directed to maintenance of a network and monitoring of the maintenance performed by the manufacturers (see Mikurak, paragraph [0275]). Nowhere, in any section, does Mikurak teach a shared RIM device or a dedicated RIM device that is coupled to a spoke device.

With regard to claims 9, 23, and 36, Mikurak does not teach distributing software via a hub master software package library in a shared hub to at least one of a RIM software repository in the shared RIM device, a RIM software repository in the dedicated RIM device, or a point of deployment (POD) software cache in a POD device, where the software is distributed to the RIM software repository in the shared RIM device or the dedicated RIM device via the hub master software package library and where the software is distributed to the POD software cache in the POD device via the RIM software repository. As discussed above, Mikurak fails to teach a regional infrastructure management device of a spoke device. Additionally, Mikurak fails to teach a hub master software package library in a shared hub, a RIM software repository in the shared RIM device, a RIM software repository in the dedicated RIM device, or a point of deployment (POD) software cache in a POD device. Furthermore, Mikurak fails to teach distributing software to the RIM software repository in the shared RIM device or the dedicated RIM device via the hub master software package library and distributing the software to the POD software cache in the POD device via the RIM software repository.

Thus, in addition to being dependent on independent claims 1, 12, and 25, the specific features of dependent claims 2, 4, 9-11, 23, 24, 36, and 37 are also distinguishable over Mikurak by virtue of the specific features recited in these claims. Accordingly, Applicants respectfully request withdrawal of the rejection of dependent claims 2, 4, 9-11, 23, 24, 36, and 37 under 35 U.S.C. § 102(e).

IX.   New Claims

Claims 38-62 are added to the pending application. Claims 59-62 are system and computer program product version of method claims 2 and 4. Support for claims 38-58 may be found in the specification at least on page 26, line 1, to page 27, line 15 and Figure 6. Consequently, no new matter is added. At least by virtue of their dependency on independent claims 1, 12, and 25, the specific features of dependent claims 38-62 are not taught by Goodman, Childress, or Mikurak, whether taken alone or in combination.
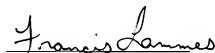
In addition, claims 38-58 recite further combinations of features not taught or suggested by the cited prior art.

X.   **Conclusion**

It is respectfully urged that the subject application is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

Respectfully submitted,

DATE: Reg. December 20, 2007

Francis Lammes
Reg. No. 55,353
WALDER INTELLECTUAL PROPERTY LAW, P.C.
P.O. Box 832745
Richardson, TX 75083
(214) 722-6491
AGENT FOR APPLICANTS